



## Notice to Comply

Application No.  
10/664,021

Examiner  
Jeffrey S. Parkin

Applicant(s)  
Delmedico, M. K., *et al.*

Art Unit  
1648

Paper No.  
05/29/2007

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Applicants are reminded that sequences appearing in the specification and/or **drawings** must be identified by a sequence identifier (SEQ ID NO.:) in accordance with 37 C.F.R. 1.821(d). Sequence identifiers for sequences appearing in the drawings may appear in the Brief Description of the Drawings. Applicant must provide appropriate amendments to the specification and/or drawings inserting the required sequence identifiers. Extensive amendments may necessitate the submission of a substitute specification and drawings.

#### Applicant May Need to Provide:

- ☒ An substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov).

To Download Patentin Software, visit <http://www.uspto.gov/web/patents/software.htm>.

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**



Express Mail No. **EV 473 972 524 US**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Delmedico & Dwyer Confirmation No.: 5500  
Serial No.: 10/664,021 Art Unit: 1648  
Filed: September 16, 2003 Examiner: Jeffrey S. Parkin, Ph.D.  
For: HIV-DERIVED HR1 PEPTIDES Attorney Docket 902445-999121  
MODIFIED TO FORM STABLE No: (formerly TRM-001)  
TRIMERS, AND THEIR USE IN  
THERAPY TO INHIBIT  
TRANSMISSION OF HIV

**FEE TRANSMITTAL SHEET**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be **\$0.00**.

The claim amendment fee has been estimated as shown below:

(Col. 1)			(Col. 2)		(Col. 3)		<input type="checkbox"/> SMALL ENTITY		<input checked="" type="checkbox"/> OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NO. PREVIOUSLY PAID		PRESENT EXTRA		RATE		ADDIT. FEE	
							OR			
TOTAL 56 MINUS 79			0		x 25 \$		x 50 \$		0.00	
INDEP. 11 MINUS 13			0		x 100 \$		x 200 \$		0.00	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					\$		\$		0.00	
					TOTAL \$		OR		TOTAL \$ 0.00	

Please charge any required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted, *[Signature]*

Date: December 6, 2007

*Laura A. Coruzzi* Reg. No. 30,742  
Laura A. Coruzzi (Reg. No.)

**JONES DAY**  
222 East 41st Street  
New York, New York 10017  
(212) 326-3939

Enclosure



EXPRESS MAIL NO.: EV 473 972 524 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Delmedico & Dwyer

Confirmation 5500

No.:

Application No.: 10/664,021

Art Unit: 1648

Filed: September 16, 2003

Examiner: PARKIN, JEFFREY

For: HIV-1 DERIVED HR1 PEPTIDES  
MODIFIED TO FORM STABLE TRIMERS,  
AND THEIR USE IN THERAPY TO INHIBIT  
TRANSMISSION OF HUMAN  
IMMUNODEFICIENCY VIRUS

Attorney Docket No.:  
902445-999121 (formerly TRM-001)

**TRANSMITTAL OF SUBSTITUTE SEQUENCE LISTING**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

SIR:

In response to the Non-Final Office Action mailed June 6, 2007, in connection with the captioned application, Applicants submit herewith a Substitute Sequence Listing in written form and in computer readable form pursuant to 37 C.F.R. § 1.821(c) and (e).

In accordance with 37 C.F.R. § 1.821(f), the undersigned hereby states that the content of the Substitute Sequence Listing information recorded in computer readable form is identical to the written sequence listing. In accordance with 37 C.F.R. § 1.821(g), the undersigned further states that the written and the computer readable forms of the Sequence Listing do not include new matter.

Accordingly, Applicants respectfully request that the Substitute Sequence Listing replace the Sequence Listing filed on September 16, 2003 and that the Substitute Sequence Listing be entered into the present application file.

Respectfully submitted,

Date: December 6, 2007

*[Signature]* Reg. No. 51,036  
*Laura A. Coruzzi* Reg. No. 30,742 30,742  
Laura A. Coruzzi (Reg. No.)  
**JONES DAY**  
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New York, New York 10017  
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Enclosures